

May 25 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

IN THE SUPREME COURT OF THE STATE OF MONTANA

DA 10-0029

FILED

MAY 25 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

PEGGY L. STEVENS,

Plaintiff, Cross-Appellant and
Appellee,

v.

O R D E R

NOVARTIS PHARMACEUTICALS
CORPORATION,

Defendant and Appellant.

Appellee/Cross-Appellant Peggy L. Stevens has moved for leave to file an overlength brief not to exceed 15,000 words. Stevens indicates that Appellant Novartis Pharmaceuticals Corporation has raised four issues in its appellant's brief and that she intends to raise nine issues on cross appeal. Stevens also states that this is a complex case and it is not possible for her to comply with the 10,000 word limit set forth in the rules. Novartis objects to the request, noting that M. R. App. P. 12(4) provides that a brief responding to an appellant's opening brief and raising cross-appeal issues must nonetheless conform to the 10,000 word limit. Novartis argues that Stevens has not shown the "extraordinary justification" required by the rules for an overlength brief and that granting the motion would likely require Novartis to file a request for an overlength reply brief. Having considered the motion and objection,

IT IS HEREBY ORDERED that the motion to file an overlength brief is GRANTED
IN PART. Stevens may file a brief not to exceed 12,500 words.

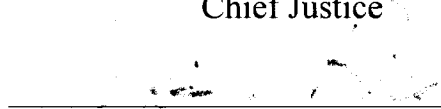
IT IS FURTHER ORDERED that Novartis may file a reply brief not to exceed 7,500
words.


The Clerk is directed to mail a true copy of this Order to counsel of record.

DATED this 25th day of May, 2010.



Chief Justice







Justices